

Interview Summary

Application No.

09/160,728

Applicant(s)

LEWAK, JERZY

Examiner

Lance W. Sealey

Art Unit

2671

All participants (applicant, applicant's representative, PTO personnel):

(1) Lance W. Sealey, examiner.

(3) _____.

(2) Jerzy Lewak, applicant.

(4) _____.

Date of Interview: 27 March 2002 .

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☒ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____ .

Claim(s) discussed: _____ .

Identification of prior art discussed: _____ .

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet .

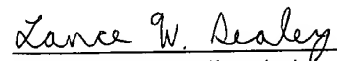
(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☒ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


ULKA J. CHAUHAN
PRIMARY EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case unless both applicant and examiner agree that the examiner will record same. Where the examiner agrees to record the substance of the interview, or when it is adequately recorded on the Form or in an attachment to the Form, the examiner should check the appropriate box at the bottom of the Form which informs the applicant that the submission of a separate record of the substance of the interview as a supplement to the Form is not required.

It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

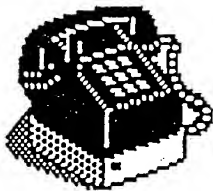
Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: This interview arises out of the examiner's receipt, from the applicant, of an amendment to the claims of the above application. The examiner called the applicant to ask whether the applicant had filed any other transactions for this application after the final rejection was mailed on 5/21/01 besides amendments on 8/24 and 9/13/01 and the present amendment of 3/8/02. When the applicant replied that he had not filed any other transactions with respect to this application after the final rejection besides the three amendments, the examiner informed the applicant that the application had gone abandoned, and faxed the applicant an explanation of how to revive the application from abandonment (attached) .



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

TELECOPY/FACSIMILE TRANSMISSION COVER SHEET



DATE: 3/27/01

TO: (NAME) JERZY LEWAK

(COMPANY OR FIRM) NISUS SOFTWARE, INC.

(FAX No.) (858) 481-6154

FROM: (NAME) LANCE SEALEY

(VOICELINE No.) (703) 305-0026

NUMBER OF PAGES 9 INCLUDING THIS PAGE.

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TO REVIVE AN ABANDONED APPLICATION
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①

711.02 Failure To Take Required Action During Statutory Period

37 CFR 1.135(a) specifies that an application becomes abandoned if applicant "fails to reply" to an office action within the fixed statutory period. This failure may result either from (A) failure to reply within the statutory period, or (B) insufficiency of reply, i.e., failure to file a "complete and proper reply, as the condition of the case may require" within the statutory period (37 CFR 1.135(b)).

When an amendment is filed after the expiration of the statutory period, the application is abandoned and the remedy is to petition to revive it. The examiner should notify the applicant or attorney at once that the application has been abandoned by using Notice of Abandonment form PTOL-1432. The proper boxes on the form should be checked and the blanks for the dates of the proposed amendment and the Office action completed. The late amendment is endorsed on the file wrapper but not formally entered. See MPEP § 714.17.

Form paragraph 7.90 or 7.98.02 may also be used.

¶ 7.90 Abandonment, Failure to Reply

This application is abandoned in view of applicant's failure to submit a proper reply to the Office action mailed on [1] within the required period for reply.

Examiner Note:

1. A letter of abandonment should not be mailed until after the period for requesting an extension of time under 37 CFR 1.136(a) has expired.
2. In *pro se* cases see form paragraph 7.98.02.

¶ 7.98.02 Reply Is Late, Petition To Revive Suggested, Pro Se

Applicant's reply to the Office Action of [1] was received in the Patent and Trademark Office on [2], which is after the expiration of the period for reply set in the last Office Action. Since no time remains for applicant to obtain an extension of the period for reply by filing a petition under 37 CFR 1.136(a), this application is *abandoned*. Applicant is advised that the abandonment of this application may only be overcome by filing a petition to revive under 37 CFR 1.137. A petition to revive may be appropriate if applicant's failure to reply was either unavoidable or unintentional, as set forth below.

A. Failure to reply was unavoidable.

A petition to revive an abandoned application on the grounds that the failure to reply was unavoidable (37 CFR 1.137(a)) must be accompanied by: (1) the required reply (which has been filed); (2) a showing to the satisfaction of the Commissioner that the

entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(a) was unavoidable; (3) any terminal disclaimer required pursuant to 37 CFR 1.137(c); and (4) the \$[3] petition fee as set forth in 37 CFR 1.17(l). No consideration to the substance of a petition will be given until this fee is received.

The showing requirement can be met by submission of statements of fact establishing that the delay in filing the reply was unavoidable, as well as inadvertent. This must include: (1) a satisfactory showing that the cause of the delay resulting in failure to reply in timely fashion to the Office action was unavoidable; and (2) a satisfactory showing that the cause of any delay during the time period between abandonment and filing of the petition to revive was also unavoidable.

A terminal disclaimer and the \$[4] terminal disclaimer fee is required under 37 CFR 1.137(c) if the application is: (1) a design application, (2) a utility application filed before June 8, 1995, or (3) a plant application filed before June 8, 1995. The terminal disclaimer must dedicate to the public a terminal part of the term of any patent granted the application equivalent to the period of abandonment of the application, and must also apply to any patent granted on any application containing a specific reference under 35 U.S.C. 120, 121 or 365(c) to the application for which revival is sought.

B. Failure to reply was unintentional.

A petition to revive an abandoned application on the grounds that the failure to reply was unintentional (37 CFR 1.137(b)) must be accompanied by: (1) the required reply (which has been filed); (2) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; (3) any terminal disclaimer required pursuant to 37 CFR 1.137(c) (see above discussion); and (4) the \$[5] petition fee as set forth in 37 CFR 1.17(m). No consideration to the substance of a petition will be given until this fee is received. The Commissioner may require additional information where there is a question whether the delay was unintentional.

The required items and fees must be submitted promptly under a cover letter entitled "Petition to Revive."

Further correspondence with respect to this matter should be addressed as follows:

By mail:

Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

By FAX:

(703) 308-6916
Attn: Office of Petitions

By hand:

711.02(a)

MANUAL OF PATENT EXAMINING PROCEDURE

One Crystal Park, Suite 520
2011 Crystal Drive
Arlington, VA

Telephone inquiries with respect to this matter should be directed to the Office of Petitions Staff at (703) 305-9282. For more detailed information, see MPEP § 711.03(c).

To pass on questions of abandonment, it is essential that the examiner know the dates that mark the beginning and end of the statutory period under varying situations. Applicant's reply must reach the Office within the set shortened statutory period for reply dating from the date stamped or printed on the Office letter or within the extended time period obtained under 37 CFR 1.136. (See MPEP § 710 to § 710.06.)

For a petition to withdraw a holding of abandonment based upon failure to receive an Office action, see MPEP § 711.03(c).

711.02(a) Insufficiency of Reply

Abandonment may result from a situation where applicant's reply is within the period for reply but is not fully responsive to the Office action. But see MPEP § 710.02(c). See also MPEP § 714.02 to § 714.04.

¶ 7.91 Reply Is Not Fully Responsive, Extension of Time Suggested

The reply filed on [1] is not fully responsive to the prior Office action because: [2]. Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).

The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

Examiner Note:

1. In bracket 2, set forth why the examiner considers there to be a failure to take "complete and proper action" within the statutory period.
2. If the reply appears to be a *bona fide* attempt to respond with an inadvertent omission, do not use this paragraph; instead use form paragraph 7.95.

711.02(b) Special Situations Involving Abandonment

The following situations involving questions of abandonment often arise, and should be specially noted:

(A) Copying claims from a patent when not suggested by the U.S. Patent and Trademark Office does not constitute a reply to the last Office action and will not save the application from abandonment, unless the last Office action relied solely on the patent for the rejection of all the claims rejected in that action.

(B) An application may become abandoned through withdrawal of, or failure to prosecute, an appeal to the Board of Patent Appeals and Interferences. See MPEP § 1215.01 to § 1215.04.

(C) An application may become abandoned through dismissal of appeal to the Court of Appeals for the Federal Circuit or civil action, where there was not filed prior to such dismissal an amendment putting the application in condition for issue or fully responsive to the Board's decision. Abandonment results from failure to perfect an appeal as required by the Court of Appeals for the Federal Circuit. See MPEP § 1215.04 and § 1216.01.

(D) Where claims are suggested for interference near the end of the period for reply running against the application, see MPEP § 2305.

(E) Where an FWC application under former 37 CFR 1.62 was filed. See MPEP § 201.06(b) and § 711.01.

(F) Where a continued prosecution application (CPA) under 37 CFR 1.53(d) is filed. See MPEP § 201.06(d) and § 711.01.

(G) Prior to a decision by the Board, an application on appeal that has no allowed claims may become abandoned when an RCE is improperly filed without the appropriate fee or a submission (37 CFR 1.114(d)) in the application. The filing of an RCE will be treated as a withdrawal of the appeal by the applicant. See MPEP § 706.07(h), paragraph X.

(H) When a reply to a final Office action is outstanding, an application may become abandoned if an RCE is filed without a timely submission that meets the reply requirements of 37 CFR 1.111. The filing of an improper RCE will not operate to toll the running of any time period set in the previous Office action for

2. Abandonment for Failure to Reply in a Nonprovisional Application

(a) Abandonment for Failure to Reply to a Non-Final Action

The required reply to a non-final action in a non-provisional application abandoned for failure to prosecute may be either:

(A) an argument or an amendment under 37 CFR 1.111;

(B) the filing of a continuing application under 37 CFR 1.53(b) (or a continued prosecution application (CPA) under 37 CFR 1.53(d) if the application is a utility or plant application filed before May 29, 2000, or a design application).

The grant of a petition under 37 CFR 1.137 is not a determination that any reply under 37 CFR 1.111 is complete. Where the proposed reply is to a non-final Office action, the petition may be granted if the reply appears to be *bona fide*. After revival of the application, the patent examiner may, upon more detailed review, determine that the reply is lacking in some respect. In this limited situation, the patent examiner should send out a letter giving a 1-month shortened statutory period under 37 CFR 1.135(c) for correction of the error or omission. Extensions of time under 37 CFR 1.136(a) are permitted. If applicant does not correct the omission within the time period set in the letter (including any extension), the application is again abandoned.

(b) Abandonment for Failure to Reply to a Final Action

A reply under 37 CFR 1.113 to a final action "must include cancellation of, or appeal from the rejection of, each claim so rejected." Accordingly, in a nonprovisional application abandoned for failure to reply to a final action, the reply required for consideration of a petition to revive must be:

(A) a Notice of Appeal and appeal fee;

(B) an amendment under 37 CFR 1.116 that cancels all the rejected claims or otherwise *prima facie* places the application in condition for allowance;

(C) the filing of a request for continued examination (RCE) (accompanied by a submission and the requisite fee) under 37 CFR 1.114 for utility or plant

applications filed on or after June 8, 1995 (see paragraph (d) below); or

(D) the filing of a continuing application under 37 CFR 1.53(b) (or a CPA under 37 CFR 1.53(d) if the application is a utility or plant application filed before May 29, 2000, or a design application).

When a notice of appeal is the reply filed pursuant to 37 CFR 1.137(a)(1) or 1.137(b)(1), the time period under 37 CFR 1.192 for filing the appeal brief will be set by the Commissioner in the decision granting the petition.

An application subject to a final action in which a proposed amendment under 37 CFR 1.116 is filed as the required reply will normally be routed by the Office of Petitions to the Technology Center (TC) to determine whether a proposed amendment places the application in condition for allowance prior to granting any petition to revive such application. The examiner is instructed that if the reply places the application in condition for allowance, the examiner should write in the margin of the reply "OK to enter upon revival." If the petition is otherwise grantable and the examiner indicates that the reply places the application in condition for allowance, the petition will be granted. If, on the other hand, the reply would not place the application in condition for allowance, the examiner is instructed to complete form PTOL-303 and return the form to the Office of Petitions with the application. From PTOL-303 should not be mailed to the applicant by the examiner. In this situation, the Office of Petitions will not grant the petition. A copy of the form PTOL-303 is marked with the notation "Courtesy Copy" by the Office of Petitions. The courtesy copy is sent as an attachment with the decision on the petition. The advisory form PTOL-303 merely serves as an advisory notice to the Office of Petitions regarding the decision of the examiner on the amendment after final rejection.

(c) Abandonment for Failure to File an Appeal Brief

In those situations where abandonment occurred because of the failure to file an appeal brief, the reply required pursuant to 37 CFR 1.137(a)(1) or 1.137(b)(1) must be either:

(A) an appeal brief in compliance with 37 CFR 1.192(c) and appeal brief fee;

EXAMINATION OF APPLICATIONS

711.03(c)

PTO/SB/64 (10-00)

Approved for use through 10/31/2002, OMB 0651-0031

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
 UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

First named inventor:

Application No.:

Group Art Unit:

Filed:

Examiner:

Title:

Attention: Office of Petitions
 Assistant Commissioner for Patents
 Box DAC
 Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions
 information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a
 notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the
 expiration date of the period set for reply in the Office notice or action plus an extensions of time
 actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications
 filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

the form of _____ (Identify type of reply):

- ☐ has been filed previously on _____
☐ is enclosed herewith.

B. The issue fee of \$ _____.

- ☐ has been paid previously on _____
☐ is enclosed herewith.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on
 the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC
 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/64 (10-00)

Approved for use 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Date

Signature

Telephone
Number: (____) _____

Typed or printed name

Address

- Enclosures: ☐ Fee Payment
- ☐ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unintentional delay
- ☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6918.

Date

Signature

Type or printed name of person signing certificate

* Reduced by basic filing fee paid.

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Fee Code	37 CFR	Description	Fee	Small Entity Fee (if applicable)
Patent Application Extension Fees				
115/215	1.17(a)(1)	Extension for response within first month	110.00	55.00
116/216	1.17(a)(2)	Extension for response within second month	400.00	200.00
117/217	1.17(a)(3)	Extension for response within third month	920.00	460.00
118/218	1.17(a)(4)	Extension for response within fourth month	1,440.00	720.00
128/228	1.17(a)(5)	Extension for response within fifth month	1,960.00	980.00
Patent Appeals/Interference Fees				
119/219	1.17(b)	Notice of appeal	320.00	160.00
120/220	1.17(c)	Filing a brief in support of an appeal	320.00	160.00
121/221	1.17(d)	Request for oral hearing	280.00	140.00
Patent Petition Fees				
122	1.17(h)	Petitions to the Commissioner, unless otherwise specified	130.00	
138	1.17(j)	Petition to institute a public use proceeding	1,510.00	
140/240	1.17(l)	Petition to revive unavoidably abandoned application	110.00	55.00
141/241	1.17(m)	Petition to revive unintentionally abandoned application	1,280.00	640.00
091	1.17(t)	Acceptance of an unintentionally delayed claim for priority	1,280.00	
089	1.18(e)	Filing an application for patent term adjustment	200.00	
090	1.18(f)	Request for reinstatement of term reduced	400.00	
111	1.20(i)(1)	Extension of term of patent	1,120.00	
124	1.20(i)(2)	Initial application for interim extension (see 37 CFR 1.790)	420.00	
125	1.20(i)(3)	Subsequent application for interim extension (see 37 CFR 1.790)	220.00	

YOU
(SMALL
ENTITY)

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Fee Code	37 CFR	Description	Fee
Patent Service Fees			
561	1.19(a)(1)(i)	Printed copy of patent w/o color, regular service, delivery by USPS, PTO Box, or electronic means	3.00
084	1.19(a)(1)(i)	Patent Application Publication (PAP)	3.00
562	1.19(a)(1)(ii)	Printed copy of patent w/o color, next business day delivery to PTO Box	6.00
564	1.19(a)(2)	Printed copy of plant patent, in color	15.00

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UNITED STATES PATENT AND TRADEMARK OFFICE

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Current USPTO Fees

Effective October 1, 2001

Any fee amount paid on or after October 1, 2001, must be paid in the revised amount. The fees subject to reduction for small entities that have established status (37 CFR 1.27) are shown in a separate column.

For additional information, please contact the General Information Services Division at (703) 308-4357 or (800) 786-9199.

Patent Fees

Application Filing Fees
Post- Allowance Fees
Maintenance Fees
Miscellaneous Fees
Application Extension Fees
Appeals/Interference Fees
Petition Fees
Service Fees
Enrollment Fees
Finance Service Fees
Computer Service Fees

PCT Fees

National Stage
International Stage
PCT Fees to WIPO or EPO

Trademark Fees

Processing Fees
Service Fees
Fastener Quality Act Fees

Fee Code	37.CFR	Description	Fee	Small Entity Fee (if applicable)
Patent Application Filing Fees				
101/201	1.16(a)	Basic filing fee - Utility	740.00	370.00
131/231	1.16(a)	Basic filing fee - Utility (CPA)	740.00	370.00
102/202	1.16(b)	Independent claims in excess of three	84.00	42.00
103/203	1.16(c)	Claims in excess of twenty	18.00	9.00
104/204	1.16(d)	Multiple dependent claim	280.00	140.00
105/205	1.16(e)	Surcharge - Late filing fee or oath or declaration	130.00	65.00
106/206	1.16(f)	Design filing fee	330.00	165.00
132/232	1.16(f)	Design filing fee (CPA)	330.00	165.00
107/207	1.16(g)	Plant filing fee	510.00	255.00
133/233	1.16(g)	Plant filing fee (CPA)	510.00	255.00
108/208	1.16(h)	Reissue filing fee	740.00	370.00
134/234	1.16(h)	Reissue filing fee (CPA)	740.00	370.00
109/209	1.16(i)	Reissue independent claims over original patent	84.00	42.00
110/210	1.16(j)	Reissue claims in excess of 20 and over original patent	18.00	9.00
114/214	1.16(k)	Provisional application filing fee	160.00	80.00
127/227	1.16(l)	Surcharge - Late provisional filing fee or cover sheet	50.00	25.00

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139	1.17(i)	Non-English specification	130.00	
Patent Post- Allowance Fees				
142/242	1.18(a)	Utility issue fee	1,280.00	640.00
143/243	1.18(b)	Design issue fee	460.00	230.00
144/244	1.18(c)	Plant issue fee	620.00	310.00
195	1.18(d)	Publication fee for early, voluntary, or normal publication	300.00	
196	1.18(d)	Publication fee for republication	300.00	
Patent Maintenance Fees				
183/283	1.20(e)	Due at 3.5 years	880.00	440.00
184/284	1.20(f)	Due at 7.5 years	2,020.00	1,010.00
185/285	1.20(g)	Due at 11.5 years	3,100.00	1,550.00
	1.20(h)	Surcharge - Late payment within 6 months	130.00	65.00
187	1.20(i)(1)	Surcharge after expiration - Late payment is unavoidable	700.00	
188	1.20(i)(2)	Surcharge after expiration - Late payment is unintentional	1,640.00	
Miscellaneous Patent Fees				
179/279	1.17(e)	Request for continued examination (RCE) (see 37 CFR 1.114)	740.00	370.00
098	1.17(i)	Processing fee, except in provisional applications	130.00	
194	1.17(i)	Request for voluntary publication or republication	130.00	
169	1.17(k)	Request for expedited examination of a design application	900.00	
112	1.17(h)	Requesting publication of SIR - Prior to examiner action	920.00*	
113	1.17(o)	Requesting publication of SIR - After examiner action	1,840.00*	
126	1.17(p)	Submission of an Information Disclosure Statement	180.00	
123	1.17(q)	Processing fee for provisional applications	50.00	
146/246	1.17(r)	For filing a submission after final rejection (see 37 CFR 1.129(a))	740.00	370.00
149/249	1.17(s)	For each additional invention to be examined (see 37 CFR 1.129(b))	740.00	370.00
145	1.20(a)	Certificate of correction	100.00	
147	1.20(c)(1)	Request for ex parte reexamination	2,520.00	
099	1.20(c)(2)	Request for inter partes reexamination	8,800.00	
148/248	1.20(d)	Statutory disclaimer	110.00	55.00